



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
August 15, 2008	Please Review
To	Deadline
Members of the Judicial Council	N/A
From	Contact
Thomas M. Maddock, Team Leader	Pam Reynolds
Jody Patel, Regional Administrative Director, Northern/Central Regional Office	Northern/Central Regional Office
Subject	916-263-1462 phone
Judicial Council Site Visits to the Superior Courts of El Dorado and Yolo Counties	916-263-1966 fax pam.reynolds@jud.ca.gov

Courts Visited

Superior Court of El Dorado County

Superior Court of Yolo County

Dates of Visit

May 3–4, 2008

Judicial Council Members Participating in Site Visits

Hon. Thomas M. Maddock, Judge of the Superior Court of Contra Costa County, Team Leader

Hon. Richard D. Huffman, Associate Justice of the Court of Appeal, Fourth Appellate District,
Division One

Hon. Dennis E. Murray, Presiding Judge of the Superior Court of Tehama County

Mr. Anthony P. Capozzi, Attorney at Law, Law Offices of Anthony Capozzi

Mr. Michael M. Roddy, Executive Officer of the Superior Court of San Diego County

Ms. Sharol Strickland, Executive Officer of the Superior Court of Butte County

Administrative Office of the Courts Staff Participating in Site Visits

Ms. Jody Patel, Regional Administrative Director, Northern/Central Region

Mr. Curtis L. Child, Director, Office of Governmental Affairs

Mr. Stephen Nash, Director, Finance Division (Yolo)

Ms. Marcia M. Taylor, Director, Appellate and Trial Court Judicial Services Division

Mr. Curt Soderlund, Assistant Director, Northern/Central Region

Ms. Marcia Caballin, Assistant Director, Finance Division (El Dorado)

Ms. Giselle Corrie, Manager, Business and Finance, Office of Court Construction and Management

Ms. Sara Fisher, Manager, Emergency Response and Security, Executive Office

Ms. Pam Reynolds, Senior Court Services Analyst, Northern/Central Region

Ms. Stefanie Elam, Executive Secretary, Northern/Central Region

Superior Court of El Dorado County

The April 3, 2008, site visit to the Superior Court of El Dorado County began at the Cameron Park facility. Presiding Judge Suzanne N. Kingsbury and Executive Officer Tania Ugrin-Capobianco welcomed the Judicial Council team members to their county. The opportunity to view facilities in Cameron Park, Placerville, and South Lake Tahoe gave team members a sense of the distance and mountainous terrain that judicial officers and staff must travel within this county. The team members were treated to afternoon snacks provided by the sheriff's department's innovative Jail Culinary Arts program.

El Dorado County is located in the Sierra foothills, with Placer County to the north, Sacramento County to the west, Alpine and Amador Counties to the south, and the state of Nevada to the east. The county covers 1,711 square miles and had a population of 178,066 as of July 2006, representing an increase of 13.9 percent between 2000 and 2006. Seventy percent of the county population is on the west side of the mountain in the surrounding Cameron Park and Placerville communities.

Court Overview

The Superior Court of El Dorado County has four court locations: Main Street in Placerville, Placerville Building C, Cameron Park, and Johnson Building in South Lake Tahoe. An additional facility is located at the El Dorado Center in South Lake Tahoe, but the court does not actively

use it for court hearings. The bench is composed of six judges and three subordinate officers, and the court has approximately 96 support staff.

An informal working lunch with bench officers, the court's management team, and a sheriff's representative provided a forum for a frank discussion of several issues of importance to the court: security, employee turnover, and facility deficiencies.

Court Achievements

Implementation of New Specialty Courts. The court has recently implemented two new specialty courts. An adult felony drug court was launched in November 2007 to help parents who are struggling with alcohol and drug use, have committed nonviolent felonies, and are not eligible for Prop. 36 or dependency drug court. This innovative program uses a team approach; multiple agencies come together to hold participants accountable while encouraging them to continue working toward sobriety.

In February 2008 the court implemented a DUI court that focuses on offenders with either two DUI convictions within a five-year period or three or more lifetime DUI convictions. The superior court received grant funding primarily because of the success of its Prop. 36 drug court and its high repeat-offender rate.

Prop. 36 Drug Court. The program is consistent with the U.S. Department of Justice's 10 key components of an effective drug court, and the result is a completion rate of approximately 49 percent. Several graduates of the court have become part of the solution as either providers or counselors. Judge Douglas C. Phimister presides over this calendar, which has received both national and state recognition.

Operational Issues

Facilities. Placerville Building C is a mixed-use facility. The small claims/traffic filing window is located right next to the county's Building and Planning Services Department. Court and county employees are also co-located within the back office area. There is no clear delineation between court and county employees.

The Main Street Courthouse was built in 1911 and is poorly suited to handle the demands now placed on it. For instance, there is no juror assembly room; the jurors are required to wait in the hallway for their turn to be called to a department.

The court noted that it would like the AOC to review access for the disabled at its South Lake Tahoe and Cameron Park facilities. El Dorado County was recently served with an ADA lawsuit involving the South Lake Tahoe facility.

Security. Placerville Building C lacks perimeter screening. The Sheriff's Office is supportive of perimeter screening at the facility, but support from the county board of supervisors and county administration has been limited. The Judicial Council team members discussed several approaches to help the county understand the importance of perimeter screening.

There are no separate secured hallways; therefore, in-custody defendants are escorted in the same open areas occupied by victims, witnesses, family members, jurors, and the general public. In-custody defendants must also be escorted through employee work areas in the South Lake Tahoe facility.

Personnel-Related Issues. Approximately one-third of the court's workforce will be eligible to retire in the next year. The court has been developing a recruitment and retention strategy to address this major concern and appreciates the AOC's assistance with workforce development. Additionally, the court has experienced a 22 percent turnover rate in South Lake Tahoe that is primarily attributed to either a spouse's inability to secure quality employment or the ability of private sector law firms to pay significantly higher salaries than those at the court.

The court finds it difficult to secure affordable health insurance because of its geographic location. It lacks access to health maintenance and preferred provider organizations; thus they pay a much higher premium for the insurance provided to court employees and their families.

Judgeship Needs. The population of El Dorado County has tripled since 1977, when the court last received a new judgeship. Additionally, beginning in 2009, one-third of the superior court judges will be new, and only one will have more than 10 years of judicial experience. The court expressed concern about these situations and the ability to effectively manage its caseload with the current number of judges and subordinate judicial officers.

Superior Court of Yolo County

The April 4, 2008, site visit to the Superior Court of Yolo County began with a welcome reception at the Historic Woodland Courthouse. Presiding Judge David Rosenberg greeted the Judicial Council team members and facilitated introductions.

Yolo County is located in the Sacramento Valley; Colusa County is to the north, Solano County to the south, Sacramento and Sutter Counties to the east, and Napa County to the west. The

county covers 1,034 square miles and had a population of 188,085 as of July 2006, representing an 11.5 percent increase since 2000.

Overview

The Superior Court of Yolo County has six court locations, all located within the city of Woodland: the Historic Courthouse; Third Street location; Department 11, located on Court Street; Traffic Court, located on Court Street; First Street location; and Beamer Street location. The bench is composed of 9 judges and 3.4 subordinate judicial officers; the court has approximately 132 support staff.

Judge Rosenberg and Executive Officer James B. Perry gave a preview of the day's activities, including a summary of issues facing the court and an overview of the court's achievements. After the presentation, Mr. Perry gave the site visit team a tour of several of the Yolo County facilities. A number of judges and members of the court's management team joined the site visit team for an informal working lunch at which team members had an opportunity to further discuss the court's concerns and ways the Judicial Council can assist.

Court Achievements

Calendar Reengineering. In 2006 Fred Miller from the AOC was invited by the court to review its caseload management process. As a result of the review, the court implemented a hybrid vertical calendar-team approach in January 2007. This approach has reduced the continuance rate by one-half and increased felony and misdemeanor disposition rates. In January 2008 the process was refined with the addition of a long-cause department and the consolidation of misdemeanor cases in one department.

Computer Innovations. To address the needs of Yolo County's large Hispanic population, the court's Web site was modified so that it can be entirely converted into Spanish with the click of a button. This has increased access to justice for a large population base. In the lobby of the Historic Courthouse the court installed an electronic calendar listing of court cases being heard in all facilities. In the tiny lobby of the family law facility the court installed a LCD screen that shows a mediation video for those waiting to obtain court services.

Facilities. Lack of sufficient facility space is a major operational issue for the court; however, the staff have been very creative in utilizing the existing space, such as storing exhibits in an old vault. A newly remodeled employee lounge and jury assembly room and a reconfigured legal process area make efficient use of all available space. Recently the court purchased a modular building for its traffic, small claims, unlawful detainer, and drug court calendars. Placer court employees constructed the interior and connected the modular to an existing court building. This

new building includes facilities for conducting onsite urine tests. Council site visit members were impressed with the court's creative and efficient use of available space.

Operational Issues

High Number of Capital Murder Cases. The court appears to have an inordinate number of capital murder cases. Currently 11 homicide and 5 death penalty cases are waiting to be heard—this in a court with 3,112 felony filings in fiscal year 2005–2006. Last year, 20 death penalty verdicts were returned statewide, 1 in the Superior Court of Yolo County. This year the court has already returned a death penalty verdict, which was received the day before the council members visited the court.

Security. The sheriff contracts with a private security firm to provide perimeter screening coverage at all court facilities. In-custody defendants are brought from the jail to the Historic Courthouse in chain gangs, crossing a street fronting the exposed parking lot used by judicial officers and jurors. Because of the lack of secured hallways, in-custody defendants are escorted down the public hallways used by victims, witnesses, family members, jurors, and the general public. Holding cells have no restrooms; defendants must either be escorted back across the street to the jail or, occasionally, use the courthouse's public restrooms, requiring sheriff's personnel to ensure that the restrooms are vacated.

Judicial Succession. Two judges recently retired, and three more are eligible to retire within the next three years. The court stressed to the council members that it is critical for judicial vacancies to be filled quickly.

Facilities. The Historic Courthouse was opened in 1917, and while it is a beautiful building, it is inadequate to handle today's court business. The largest courtroom is below the minimum standard size, which creates difficulty when handling two defendant trials. The courthouse has only one ADA-accessible public restroom, which is located on the third floor, and only one ADA-accessible courtroom. The hallways lack air conditioning and heat, and much of the building has no sprinkler system. The court occupies approximately 450 square feet in the Beamer Street facility; the remaining portion of the building has already been condemned by the county. Once the court vacates the building the county will have it demolished.

The court needs 160,000 square feet of facility space, yet it has only 67,000 square feet, including the newly opened modular facility. The court must lease additional space for its new judgeship. However, there is limited available lease space in Woodland, and the court will now be located at seven sites, which creates inefficiencies. A new 14-courtroom courthouse was approved in the Governor's 2008–2009 Budget. The court has ideas for a public-private partnership and is eagerly talking with the community about the opportunities.

Interpreters. Yolo County has a large Spanish and Russian population who use court interpreter services. The court consistently requires the use of interpreters from other courts as well as contract interpreters. The court implored the Judicial Council site visit members to consider creative opportunities to increase the number of interpreters available for trial courts, including the use of interpreters from Nevada and Oregon and placing more focus on the certification process to allow a greater number of examinations, thus providing courts with more certified interpreters.